

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MARTIN SCHULTHES,

No. C-13-0712 EMC

Plaintiff,

v.

**ORDER RE SUPPLEMENTAL
BRIEFING AND/OR EVIDENCE**NETFLIX, INC., *et al.*,Defendants.

Plaintiff Martin Schulthes has filed a class action complaint, asserting a violation of the Securities Exchange Act (including Rule 10b-5) by Defendants Netflix, Inc.; Reed Hastings; and David Wells. Pursuant to the Private Securities Litigation Reform Act (“PSLRA”), Mr. Schulthes has filed a motion for appointment as lead plaintiff and approval of selection of counsel. That motion is currently set for hearing on June 20, 2013.


Having reviewed Mr. Schulthes’s motion, the Court hereby orders that he provide supplemental briefing and/or evidence to support that motion. As Mr. Schulthes notes in his papers, under 15 U.S.C. § 78u-4(a)(3)(i), before appointment of a lead plaintiff may take place, the plaintiff must give early notice of, *inter alia*, the pendency of the action to members of the purported class “in a widely circulated national business-oriented publication or wire service.” 15 U.S.C. § 78u-4(a)(3)(A)(i). Here, counsel for Mr. Schulthes has filed a declaration stating that notice was given through *PRBuzz*. Counsel claims that *PRBuzz* is “a widely-circulated, national, business-orientated [sic] wire service.” Amador Decl. ¶ 2. The Court orders Mr. Schulthes to provide supplemental briefing and/or competent evidence to support his and his counsel’s claim that *PRBuzz* is a widely

1 circulated national business-oriented wire service. If any federal court has recognized *PRBuzz* as
2 such a wire service for purposes of the PSLRA, Mr. Schulthes shall provide a citation to that
3 decision.

4 The supplemental briefing and/or evidence shall be filed by May 31, 2013.

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6 IT IS SO ORDERED.

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8 Dated: May 21, 2013

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11 EDWARD M. CHEN
12 United States District Judge
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